



Security Council

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Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Note verbale dated 20 March 2009 from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) and has the honour to attach its report pursuant to paragraph 25 of resolution 1844 (2008) on the steps taken by the Government of the United Kingdom of Great Britain and Northern Ireland to implement paragraphs 1 to 7 of resolution 1844 (2008) (see annex).

Annex to the note verbale dated 20 March 2009 from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Chairman of the Committee

Report of the United Kingdom on the implementation of Security Council resolution 1844 (2008)

Introduction

1. Please see the relevant sections below for details of how the United Kingdom has implemented the measures in paragraphs 1 to 7 of resolution 1844 (2008) within the United Kingdom's legal and administrative structure. The responsible Government department in the United Kingdom, the Foreign and Commonwealth Office, will ensure that details of individuals and entities designated with respect to these measures are transmitted to appropriate government departments and posts overseas.

Assets freeze/travel restrictions

2. There are currently no individuals or entities designated under paragraph 8 of resolution 1844 (2008) as being subject to the financial and travel restrictions imposed by paragraphs 1 and 3 of the resolution.

3. The assets freeze imposed by paragraph 3 of the resolution will be implemented in the United Kingdom through secondary legislation, which will be adopted under the United Nations Act 1946. Such legislation will require the assets of any designated individuals to be frozen and will prevent the provision of funds to such persons, except pursuant to licences issued in accordance with the exemptions set out in paragraphs 4 and 5 of the resolution. HM Treasury will be responsible for the enforcement of this legislation.

4. In order to implement the travel restrictions imposed by paragraph 1 of the resolution, the UK Border Agency will place the details of any designated individuals onto the United Kingdom's border "watch list". UK Border Agency staff will be instructed to refuse those individuals entry to or transit through the United Kingdom, unless a specific exemption is approved in accordance with the provisions of paragraph 2 of the resolution.

Arms embargo

5. The prohibition on the supply to designated persons of weapons and military equipment and technical and other assistance related to military activities, which is imposed by paragraph 7 of resolution 1844 (2008), is implemented through the following measures:

(a) The Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003. This includes:

(i) A prohibition on the export of military listed goods from the United Kingdom to all destinations without a licence; the United Kingdom's export control authorities will ensure that licences are not issued for supplies to designated persons;

(ii) A prohibition on the provision of technical assistance by anyone to a person or place outside the European Community, and of technical assistance by a United Kingdom person from a place outside the European Community to a person outside the European Community, in respect of weapons of mass destruction;

(iii) Trans-shipment of military goods (including those controlled under weapons of mass destruction end-use control) through the United Kingdom is prohibited without a licence.

With effect from 6 April 2009, the above Order will be replaced by the Export Control Order 2008, which contains similar provisions;

(b) Council Regulation (EC) No. 147/2003 provides for a prohibition on the provision of financing or financial assistance related to military activities and the grant, sale, supply or transfer of technical advice, assistance or training related to military activities;

(c) The Somalia (United Nations Sanctions) Order 2002 provides for a prohibition on any person within the United Kingdom and on any person elsewhere who is a British citizen, a British overseas territories citizen, a British overseas citizen, a British subject, a British national (overseas) or a British protected person, or a body incorporated or constituted under the law of any part of the United Kingdom:

(i) who, except under the authority of a licence granted by the Secretary of State supplies or delivers, agrees to supply or deliver or does any act calculated to promote the supply or delivery of restricted goods (military goods) to any person in Somalia; or

(ii) who, except under the authority of a licence granted by the Secretary of State, provides directly or indirectly to any person in Somalia any technical advice, financial or other assistance or training related to military activities.